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SECURITIES AND EXCHANGE COMMISSION
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Petitioner,

-against-

DAVID RIVARD,

Respondent.

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

DAVID RIVARD,

Defendant.

FILED
CLERK
FEB -5 PM 3:33
DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK
Civ.
ECF CASE

04 Civ. 1464 (ILG)
ECF CASE

**ORDER TO SHOW CAUSE FOR
ENFORCEMENT OF A CONSENT ORDER ISSUED
BY THE UNITED STATES SECURITIES AND EXCHANGE
COMMISSION, FOR A FINDING THAT DAVID RIVARD IS IN
CIVIL CONTEMPT OF A PRIOR FINAL JUDGMENT, AND FOR OTHER RELIEF**

Upon the application of the Securities and Exchange Commission ("Commission") for an order (i) enforcing compliance by David P. Rivard ("Rivard"), with the Commission's order of October 27, 2004, suspending Rivard from appearing or practicing before the Commission as an accountant; (ii) requiring Rivard to disgorge the compensation he obtained from his violations plus prejudgment interest; (iii) holding Rivard in contempt of the Court's November 4, 2004 Final Judgment by Consent; (iv) ordering Rivard to purge the contempt or be sanctioned; and (v) ordering an asset freeze and directing Rivard to provide an accounting, and the Declaration of Danielle Sallah, dated February 5, 2015, with attached exhibits, and the Declaration of Alexander M. Vasilescu, dated February 5, 2015, pursuant to Local Civil Rule 6.1(d), the SEC Memorandum of Law in Support of Application for Enforcement of 2004 Commission Order and 2004 Final judgment, dated February 5, 2015, and it appearing that an Order to Show Cause should issue, it is hereby:

ORDERED, that Rivard shall appear before the Hon. I. Leo Glasser, United States District Judge, at the United States Courthouse, Courtroom 8B, Brooklyn, New York 2:30 PM on 4/1 2015, to show cause why the Commission's Application should not be granted. If Rivard fails to file answering papers and/or appear, the Court may find him in default and enter an appropriate order against him at such time without further notice being given.

FURTHER ORDERED, that the Commission shall serve a copy of this Order to Show Cause, the Commission's Application, and all other papers required by the rules of this Court, on Rivard by sending by overnight delivery or email a copy of these papers to Rivard's counsel in this case, and if he rejects service by such means, by using the means of Rule 4 of the Federal Rules of Civil Procedure, by 5:00 p.m. on 2/10, 2015, and file a return of service with the Clerk. FURTHER ORDERED, that Rivard shall serve and file all answering affidavits, declarations, memoranda of law, and other papers by 5:00 p.m. on 3/10, 2015.

FURTHER ORDERED, that if Rivard shall file any answering papers, the Commission may serve and file reply affidavits, declarations, memoranda of law, and other papers on Rivard by 5:00 p.m. on 3/24, 2015.

Dated at New York, New York, February 6, 2015, at 2:45 PM

s/ Leo Glasser

UNITED STATES DISTRICT JUDGE